

## **REMARKS**

### **Declaration**

In accordance with the provisions of 37 C.F.R. §1.497(a) and (b), Applicants hereby submit an executed Declaration for Patent Application of inventors Cecil W. Forsberg, Serguei Golovan and John P. Phillips (with the Application Data Sheet).

### **Fees**

The government fee of \$130.00 is included in our cheque No. \_\_\_\_\_, in respect of surcharge (large entity).

If any additional fee is due, including a further fee for an extension of time, such an extension is hereby requested and the Commissioner is authorized to charge any such fee to Deposit Account No. 02-2095.

### **Sequence Listing**

In order to comply with the requirements of 37 C.F.R. 1.821-1.825, Applicants are submitting herewith (1) a Sequence Listing in paper form; (2) a Sequence Listing in computer readable form (a 3.5" floppy diskette) in the ASCII format and (3) a statement (set forth below) that the paper form and the computer readable form of the Sequence Listing are the same.

In accordance with the requirements of 37 C.F.R. 1.821-1.825 the undersigned verifies that the paper form of the Sequence Listing and the computer readable form of the Sequence Listing are the same. No new matter has been added.

Please note that Applicants did not receive a "marked-up copy of the Raw Sequence Listing" with the attached Notification of Missing Requirements. Applicants respectfully request that the "marked-up copy of the Raw Sequence Listing" be provided to the undersigned at the Examiner's earliest convenience.

Additionally, if further amendments are required to the Sequence Listing in order to complete the requirements for acceptance under 35 U.S.C. 371, Applicants respectfully request that the undersigned be contacted immediately.

Respectfully submitted,

**Cecil W. Forsberg, Serguei Golovan, John P. Phillips**

A handwritten signature in cursive script, appearing to read "Anita Nador", written over a horizontal line.

Anita Nador  
Registration No. 47,366

Bereskin & Parr  
Box 401, 40 King Street West  
Toronto, Ontario  
Canada M5H 3Y2

(416) 364-7311

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Specification**

Sequence Listing pages 57-87 have replaced Sequence Listing pages 1-25.

**In the Claims**

Claim pages 57-63 have been renumbered as pages 88-94.

**In the Abstract**

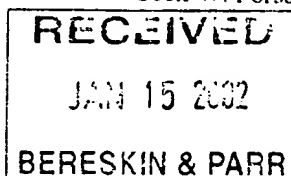
Abstract page has been renumbered as page 95.



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box 101  
 United States Patent and Trademark Office  
 Washington, D.C. 20503  
 www.uspto.gov

U.S. APPLICATION NUMBER NO 09/926,375	FIRST NAMED APPLICANT Cecil W. Forsberg	ATTY DOCKET NO 6580-270
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INTERNATIONAL APPLICATION NO PCT/CA00/00430	
I.A. FILING DATE 04/20/2000	PRIORITY DATE 04/23/1999

Micheline Gravelle  
 Bereskin & Parr  
 Box 401 40 King Street West  
 Toronto, ON M5H 3Y2  
 CANADA

CONFIRMATION NO. 9974

371 FORMALITIES LETTER



\*OC000000007223213\*

Date Mailed: 12/28/2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
  - **APPLICANT MUST PROVIDE:**
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*all int. Feb. 28/02 105*

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 305-3656

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO	ATTY DOCKET NO
09/926,375	PCT/CA00/00430	6580-270